

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

JOHN JAY LACEY,

Plaintiff,

-against-

SURE SHOT BOOKS PUBLISHERS, LLC,

Defendant.

24-CV-2406 (LTS)

ORDER OF DISMISSAL

By order dated May 28, 2024, the Court: (1) dismissed Plaintiff's complaint for lack of subject matter jurisdiction, *see* Fed. R. Civ. P. 12(h)(3); (2) granted 30 days' leave to replead his claims in an amended complaint to show that the court has subject matter jurisdiction to consider his claims; and (3) alerted him that if he failed to file an amended complaint within the time allowed, the Court would direct the Clerk of Court to enter judgment in this action. (ECF 10.) Plaintiff has not filed an amended complaint. For the reasons set forth in the May 28, 2024 order, the complaint, filed *in forma pauperis* (IFP) under 28 U.S.C. § 1915(a)(1), is dismissed without prejudice for lack of subject matter jurisdiction, *see* Fed. R. Civ. P. 12(h)(3).

The Court certifies under 28 U.S.C. § 1915(a)(3) that any appeal from the Court's judgment would not be taken in good faith.

The Clerk of Court is directed to enter judgment in his case.

SO ORDERED.

Dated: August 22, 2024
New York, New York

/s/ Laura Taylor Swain

LAURA TAYLOR SWAIN
Chief United States District Judge